

Union Calendar No. 558

116TH CONGRESS
2^D SESSION

H. R. 4891

[Report No. 116–674, Part I]

To provide for the conduct of certain water security measures in the Western United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2019

Ms. TORRES SMALL of New Mexico (for herself, Mr. LUJÁN, Ms. HAALAND, Mrs. KIRKPATRICK, Mr. HURD of Texas, and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

DECEMBER 18, 2020

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

DECEMBER 18, 2020

Committee on Science, Space, and Technology discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on October 28, 2019]

A BILL

To provide for the conduct of certain water security measures
in the Western United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
 5 *“Western Water Security Act of 2020”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 7 *Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

*TITLE I—INFRASTRUCTURE AND WATER MANAGEMENT
 IMPROVEMENT*

Sec. 101. Watersmart extension and expansion.

Sec. 102. Emergency drought funding.

Sec. 103. Rio Grande Pueblo Irrigation Infrastructure Reauthorization.

TITLE II—GROUNDWATER MANAGEMENT

*Sec. 201. Reauthorization and expansion of the Transboundary Aquifer Assess-
 ment Program.*

Sec. 202. Groundwater management assessment and improvement.

Sec. 203. Surface and groundwater water availability and the energy nexus.

*TITLE III—WATER CONSERVATION AND ENVIRONMENTAL
 RESTORATION*

Sec. 301. Definitions.

Sec. 302. Water acquisition program.

Sec. 303. Middle Rio Grande Water Conservation.

Sec. 304. Sustaining biodiversity during droughts.

Sec. 305. Reauthorization of cooperative watershed management program.

TITLE IV—EFFECT ON EXISTING LAW

Sec. 401. Effect on existing law.

8 **SEC. 2. DEFINITIONS.**

9 *In this Act:*

10 (1) *RIO GRANDE COMPACT.*—*The term “Rio*
 11 *Grande Compact” means the compact approved by*
 12 *Congress under the Act of May 31, 1939 (53 Stat.*
 13 *785, chapter 155).*

1 (2) *SECRETARY.*—*The term “Secretary” means*
2 *the Secretary of the Interior.*

3 (3) *STATE.*—*The term “State” means the State*
4 *of New Mexico.*

5 ***TITLE I—INFRASTRUCTURE AND***
6 ***WATER MANAGEMENT IM-***
7 ***PROVEMENT***

8 ***SEC. 101. WATERSMART EXTENSION AND EXPANSION.***

9 (a) *DEFINITION OF ELIGIBLE APPLICANT.*—*Section*
10 *9502 of the Omnibus Public Land Management Act of 2009*
11 *(42 U.S.C. 10362) is amended—*

12 (1) *in the matter preceding paragraph (1), by*
13 *striking “section” and inserting “subtitle”;*

14 (2) *by striking paragraph (7) and inserting the*
15 *following:*

16 “(7) *ELIGIBLE APPLICANT.*—*The term ‘eligible*
17 *applicant’ means—*

18 “(A) *any State, Indian tribe, irrigation dis-*
19 *trict, or water district;*

20 “(B) *any State, regional, or local authority,*
21 *the members of which include one or more orga-*
22 *nizations with water or power delivery author-*
23 *ity;*

24 “(C) *any other organization with water or*
25 *power delivery authority; or*

1 “(D) any nonprofit conservation organiza-
2 tion.”;

3 (3) by redesignating paragraphs (13) through
4 (17) as paragraphs (14) through (18), respectively;
5 and

6 (4) by inserting after paragraph (12) the fol-
7 lowing:

8 “(13) *NATURAL WATER RECHARGE INFRASTRUC-*
9 *TURE.—The term ‘natural water recharge infrastruc-*
10 *ture’ means a single project, a number of distributed*
11 *projects across a watershed, or the redesign and re-*
12 *placement, or removal, of built infrastructure to in-*
13 *corporate natural aquatic elements, in which the*
14 *project—*

15 “(A) uses natural materials appropriate to
16 the specific site and landscape setting;

17 “(B) mimics natural riverine, floodplain,
18 riparian, wetland, hydrologic, or other ecological
19 processes; and

20 “(C) results in aquifer recharge, transient
21 floodplain water retention, or restoration of
22 water in the landscape such that the water re-
23 turns to a wetland, riparian area, or surface
24 water channel.”.

1 (b) *RESEARCH AGREEMENTS.*—Section 9504(b)(1) of
2 *the Omnibus Public Land Management Act of 2009* (42
3 *U.S.C. 10364(b)(1)*) is amended—

4 (1) *in the matter preceding subparagraph (A),*
5 *by inserting “nonprofit conservation organization,”*
6 *before “or organization”;*

7 (2) *in subparagraph (B), by striking “or” at the*
8 *end;*

9 (3) *by redesignating subparagraph (C) as sub-*
10 *paragraph (D); and*

11 (4) *by inserting after subparagraph (B) the fol-*
12 *lowing:*

13 *“(C) to increase natural water recharge in-*
14 *frastructure; or”.*

15 (c) *WATER MANAGEMENT IMPROVEMENT.*—Section
16 *9504(e) of the Omnibus Public Land Management Act of*
17 *2009* (42 *U.S.C. 10364(e)*) is amended by striking
18 *“\$530,000,000” and inserting “\$700,000,000, subject to the*
19 *condition that \$50,000,000 of that amount shall be used to*
20 *carry out section 206 of the Energy and Water Development*
21 *and Related Agencies Appropriations Act, 2015* (43 *U.S.C.*
22 *620 note; Public Law 113–235”).*

23 (d) *CONFORMING AMENDMENT.*—Section 4009(d) of
24 *Public Law 114–322* (42 *U.S.C. 10364 note*) is amended
25 *by striking “on the condition that of that amount,*

1 \$50,000,000 of it is used to carry out section 206 of the
2 Energy and Water Development and Related Agencies Ap-
3 propriation Act, 2015 (43 U.S.C. 620 note; Public Law
4 113–235)”.

5 **SEC. 102. EMERGENCY DROUGHT FUNDING.**

6 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section
7 301 of the Reclamation States Emergency Drought Relief
8 Act of 1991 (43 U.S.C. 2241) is amended—

9 (1) by striking “120,000,000” and inserting
10 “180,000,000”; and

11 (2) by striking “2020” and inserting “2025, of
12 which not more than \$30,000,000 shall be made avail-
13 able during that period for the conduct of actions au-
14 thorized under title I of the Reclamation States
15 Emergency Drought Relief Act of 1991 (43 U.S.C.
16 2211 et seq.) to benefit imperiled fish and wildlife”.

17 (b) *APPLICABLE PERIOD OF DROUGHT PROGRAM.*—
18 Section 104 of the Reclamation States Emergency Drought
19 Relief Act of 1991 (43 U.S.C. 2214) is amended by striking
20 subsection (a) and inserting the following:

21 “(a) *IN GENERAL.*—The programs and authorities es-
22 tablished under this title shall become operative in any Rec-
23 lamation State and in the State of Hawaii only—

24 “(1) after the Governor or Governors of the af-
25 fected State or States, or the governing body of an af-

1 *affected Indian Tribe with respect to a reservation, has*
2 *made a request for temporary drought assistance and*
3 *the Secretary has determined that the temporary as-*
4 *stance is merited;*

5 *“(2) after a drought emergency has been declared*
6 *by the Governor or Governors of the affected State or*
7 *States; or*

8 *“(3) on approval of a drought contingency plan*
9 *as provided in title II.”.*

10 *(c) REAUTHORIZATION.—Section 104(c) of the Rec-*
11 *lamation States Emergency Drought Relief Act of 1991 (43*
12 *U.S.C. 2214(c)) is amended by striking “2020” and insert-*
13 *ing “2030”.*

14 **SEC. 103. RIO GRANDE PUEBLO IRRIGATION INFRASTRUC-**
15 **TURE REAUTHORIZATION.**

16 *Section 9106 of the Omnibus Public Land Manage-*
17 *ment Act of 2009 (Public Law 111–11; 123 Stat. 1304) is*
18 *amended—*

19 *(1) in subsection (c)(4), by striking “2 years*
20 *after the date of enactment of this Act, the Secretary*
21 *shall submit to the Committee on Energy and Natural*
22 *Resources of the Senate and the Committee on Re-*
23 *sources” and inserting “December 31, 2020, the Sec-*
24 *retary shall submit to the Committee on Energy and*

1 *Natural Resources of the Senate and the Committee*
2 *on Natural Resources”*; and

3 (2) in subsection (g)(2)—

4 (A) by striking “\$6,000,000” and inserting
5 “such sums as may be necessary”; and

6 (B) by striking “2010 through 2019” and
7 inserting “2020 through 2029”.

8 **TITLE II—GROUNDWATER**
9 **MANAGEMENT**

10 **SEC. 201. REAUTHORIZATION AND EXPANSION OF THE**
11 **TRANSBOUNDARY AQUIFER ASSESSMENT**
12 **PROGRAM.**

13 (a) *DESIGNATION OF PRIORITY TRANSBOUNDARY*
14 *AQUIFERS.*—Section 4(c)(2) of the *United States-Mexico*
15 *Transboundary Aquifer Assessment Act (42 U.S.C. 1962*
16 *note; Public Law 109–448)* is amended by striking “*New*
17 *Mexico or Texas*” and inserting “*New Mexico, Texas, or Ar-*
18 *izona (other than an aquifer underlying Arizona and So-*
19 *nora, Mexico, that is partially within the Yuma ground-*
20 *water basin designated by the order of the Director of the*
21 *Arizona Department of Water Resources dated June 21,*
22 *1984)*”.

23 (b) *REAUTHORIZATION.*—

24 (1) *AUTHORIZATION OF APPROPRIATIONS.*—*Sec-*
25 *tion 8(a) of the United States-Mexico Transboundary*

1 *Aquifer Assessment Act (42 U.S.C. 1962 note; Public*
2 *Law 109–448) is amended by striking “fiscal years*
3 *2007 through 2016” and inserting “fiscal years 2021*
4 *through 2029”.*

5 (2) *SUNSET OF AUTHORITY.—Section 9 of the*
6 *United States-Mexico Transboundary Aquifer Assess-*
7 *ment Act (42 U.S.C. 1962 note; Public Law 109–448)*
8 *is amended by striking “enactment of this Act” and*
9 *inserting “enactment of the Western Water Security*
10 *Act of 2020”.*

11 **SEC. 202. GROUNDWATER MANAGEMENT ASSESSMENT AND**
12 **IMPROVEMENT.**

13 *Section 9504(a) of the Omnibus Public Land Manage-*
14 *ment Act of 2009 (42 U.S.C. 10364(a)) is amended—*

15 (1) *in paragraph (1)—*

16 (A) *in the matter preceding subparagraph*
17 *(A), by inserting “or carrying out any activity”*
18 *after “any improvement”;*

19 (B) *by striking subparagraphs (A) through*
20 *(E);*

21 (C) *by redesignating subparagraphs (F)*
22 *through (H) as subparagraphs (B) through (D),*
23 *respectively;*

24 (D) *by inserting before subparagraph (B)*
25 *(as so redesignated) the following:*

1 “(A) to assist States and water users in
2 complying with interstate compacts through tem-
3 porary, voluntary, and compensated transactions
4 that decrease consumptive water use at a re-
5 gional or watershed scale;”;

6 (E) in subparagraph (B) (as so redesign-
7 ated), by striking “to prevent” and inserting
8 “to achieve the prevention of”;

9 (F) in subparagraph (C) (as so redesign-
10 ated), by striking “to accelerate” and inserting
11 “to achieve the acceleration of”; and

12 (G) in subparagraph (D) (as so redesign-
13 ated)—

14 (i) by striking clause (i) and inserting
15 the following:

16 “(i) to increase ecological resilience to
17 climate change, including by enhancing
18 natural water recharge infrastructure with-
19 in a floodplain or riparian wetland, by ad-
20 dressing climate-related impacts or vulner-
21 ability to the water supply of the United
22 States;”;

23 (ii) in clause (ii), by striking the pe-
24 riod at the end and inserting “; or”; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(iii) to plan for or address the im-
4 pacts of drought.”;

5 (2) by redesignating paragraphs (2) and (3) as
6 paragraphs (3) and (4), respectively;

7 (3) by inserting after paragraph (1) the fol-
8 lowing:

9 “(2) *ELIGIBLE PROJECTS.*—The improvements
10 or activities eligible for assistance under paragraph
11 (1) may include improvements or activities—

12 “(A) using an approach—

13 “(i) to conserve water;

14 “(ii) to increase water use efficiency;

15 “(iii) to facilitate water markets; or

16 “(iv) to enhance water management,
17 including increasing the use of renewable
18 energy in the management and delivery of
19 water or increasing natural water recharge
20 infrastructure;

21 “(B) to improve the condition of natural
22 water recharge infrastructure; or

23 “(C) to achieve the acceleration of the adop-
24 tion and use of advanced water treatment tech-
25 nologies to increase water supply.”; and

1 (4) in paragraph (4) (as so redesignated)—

2 (A) in subparagraph (B)(i), by striking
3 subclause (II) and inserting the following:

4 “(II) to use the assistance pro-
5 vided under a grant or agreement to
6 increase the consumptive use of water
7 for agricultural operations above the
8 pre-project levels, as determined pursu-
9 ant to the law of the State in which the
10 operation of the eligible applicant is
11 located.”; and

12 (B) in subparagraph (E)—

13 (i) by striking clause (i) and inserting
14 the following:

15 “(i) FEDERAL SHARE.—

16 “(I) IN GENERAL.—Except as pro-
17 vided in subclause (II), the Federal
18 share of the cost of any infrastructure
19 improvement or activity that is the
20 subject of a grant or other agreement
21 entered into between the Secretary and
22 an eligible applicant under paragraph
23 (1) shall not exceed 50 percent of the
24 cost of the infrastructure improvement
25 or activity.

1 “(II) *INCREASED FEDERAL SHARE*
2 *FOR CERTAIN INFRASTRUCTURE IM-*
3 *PROVEMENTS AND ACTIVITIES.*—

4 “(aa) *IN GENERAL.*—*The*
5 *Federal share of the cost of an in-*
6 *frastructure improvement or ac-*
7 *tivity described in item (bb) shall*
8 *not exceed 75 percent of the cost of*
9 *the infrastructure improvement or*
10 *activity.*

11 “(bb) *INFRASTRUCTURE IM-*
12 *PROVEMENTS AND ACTIVITIES DE-*
13 *SCRIBED.*—*An infrastructure im-*
14 *provement or activity referred to*
15 *in item (aa) is an infrastructure*
16 *improvement or activity that pro-*
17 *vides benefits to consumptive*
18 *water users and nonconsumptive*
19 *ecological or recreational values*
20 *in which—*

21 “(AA) *in the case of an*
22 *infrastructure improvement*
23 *or activity that conserves*
24 *water, the conserved water is*
25 *returned to a surface water*

1 source with ecological or rec-
2 reational benefits; or

3 “(BB) in the case of
4 other infrastructure improve-
5 ments or activities, the ma-
6 jority of the benefits are non-
7 consumptive ecological or
8 recreational benefits.”; and

9 (ii) in clause (ii), in the matter pre-
10 ceding subclause (I), by striking “para-
11 graph (2)” and inserting “paragraph (3)”.

12 **SEC. 203. SURFACE AND GROUNDWATER WATER AVAIL-**
13 **ABILITY AND THE ENERGY NEXUS.**

14 Section 9508(d)(3) of the Omnibus Public Land Man-
15 agement Act of 2009 (42 U.S.C. 10368(d)(3)) is amended—

16 (1) in subparagraph (D), by striking “and” at
17 the end;

18 (2) in subparagraph (E), by striking the semi-
19 colon and inserting “; and”; and

20 (3) by adding at the end the following:

21 “(F) oil, gas, and mineral development
22 under the Mineral Leasing Act (30 U.S.C. 181 et
23 seq.), the Act of May 11, 1938 (commonly known
24 as the ‘Indian Mineral Leasing Act of 1938’) (25
25 U.S.C. 396a et seq.), sections 2319 through 2344

1 *of the Revised Statutes (commonly known as the*
 2 *‘Mining Law of 1872’) (30 U.S.C. 22 et seq.),*
 3 *and the Outer Continental Shelf Lands Act (43*
 4 *U.S.C. 1331 et seq.);”.*

5 **TITLE III—WATER CONSERVA-**
 6 **TION AND ENVIRONMENTAL**
 7 **RESTORATION**

8 **SEC. 301. DEFINITIONS.**

9 *In this title:*

10 (1) *BASIN.*—*The term “Basin”—*

11 (A) *is limited to areas within the State;*

12 *and*

13 (B) *means each of—*

14 (i) *the Upper Rio Grande Basin;*

15 (ii) *the Middle Rio Grande Basin;*

16 (iii) *the Lower Rio Grande Basin;*

17 (iv) *the Lower Pecos River Basin;*

18 (v) *the Gila River Basin;*

19 (vi) *the Canadian River Basin;*

20 (vii) *the San Francisco River Basin;*

21 *and*

22 (viii) *the San Juan River Basin.*

23 (2) *DISTRICT.*—*The term “District” means—*

24 (A) *the Middle Rio Grande Conservancy*

25 *District;*

- 1 (B) *the Elephant Butte Irrigation District;*
2 (C) *the Carlsbad Irrigation District;*
3 (D) *the Arch Hurley Conservancy District;*
4 (E) *the Pecos Valley Artesian Conservation*
5 *District; or*
6 (F) *the San Juan Water Commission.*

7 (3) *PUEBLO.—The term “Pueblo” means each of*
8 *the following pueblos in the State:*

- 9 (A) *Cochiti.*
10 (B) *Santo Domingo.*
11 (C) *San Felipe.*
12 (D) *Santa Ana.*
13 (E) *Sandia.*
14 (F) *Isleta.*

15 **SEC. 302. WATER ACQUISITION PROGRAM.**

16 (a) *AUTHORIZATION.—The Secretary, acting through*
17 *the Commissioner of Reclamation, shall carry out in the*
18 *Basins a water acquisition program in coordination with*
19 *the other appropriate Federal agencies, State agencies, and*
20 *non-Federal stakeholders, under which the Secretary shall—*

- 21 (1) *make acquisitions, or assist the State or a*
22 *District in making acquisitions, of water in the Ba-*
23 *sins by lease or purchase of water rights or contrac-*
24 *tual entitlements from willing lessors or sellers, con-*
25 *sistent with section 8 of the Act of June 17, 1902 (43*

1 *U.S.C. 383), the Rio Grande Compact, and applicable*
2 *State law relating to the acquisition and administra-*
3 *tion of water rights; and*

4 *(2) take any other actions, consistent with sec-*
5 *tion 8 of the Act of June 17, 1902 (43 U.S.C. 383),*
6 *the Rio Grande Compact, and applicable State law,*
7 *that the Secretary determines would achieve the pur-*
8 *poses of the water acquisition program described in*
9 *subsection (b).*

10 *(b) PURPOSES.—The purposes of the water acquisition*
11 *program are—*

12 *(1) to enhance stream flow to benefit fish and*
13 *wildlife (including endangered species), water quality,*
14 *and river ecosystem restoration in the Basins;*

15 *(2) to enhance stewardship and conservation of*
16 *working land, water, and watersheds in the Basins,*
17 *consistent with the purpose described in paragraph*
18 *(1); and*

19 *(3) to address water supply-demand imbalances*
20 *in the Basins, consistent with State law and the pur-*
21 *pose described in paragraph (1).*

22 *(c) COORDINATION.—To assist in developing and ad-*
23 *ministering the program, the Secretary may provide funds*
24 *to the State, a District, or a federally established nonprofit*

1 *entity with particular expertise in western water trans-*
2 *actions.*

3 *(d) DISTRICT PROJECTS.—Subject to the Rio Grande*
4 *Compact and applicable State law, the Secretary may de-*
5 *velop programs to provide—*

6 *(1) cost-share assistance to a District to reduce*
7 *water depletions by agricultural producers and*
8 *irrigators in that District by making irrigation sys-*
9 *tem improvements and increasing system efficiency;*

10 *(2) incentives to a District for the establishment*
11 *of a water leasing program from willing lessors for*
12 *agricultural producers and irrigators in that District*
13 *to temporarily lease pre-1907 water rights (instead of*
14 *permanent severance from irrigable land) for the pur-*
15 *pose of providing benefits to species listed as threat-*
16 *ened or endangered under the Endangered Species Act*
17 *of 1973 (16 U.S.C. 1531 et seq.) and other river eco-*
18 *system benefits; and*

19 *(3) cost-share assistance to a District to imple-*
20 *ment infrastructure or operational changes that will*
21 *allow for effective management of a leasing program,*
22 *while maintaining adequate water deliveries to other*
23 *agricultural producers and irrigators.*

1 **SEC. 303. MIDDLE RIO GRANDE WATER CONSERVATION.**

2 (a) *IN GENERAL.*—*The Secretary, in cooperation with*
3 *a District and in consultation with the Pueblos, may pro-*
4 *vide funding and technical assistance for the installation*
5 *of metering and measurement devices and the construction*
6 *of check structures on irrigation diversions, canals, laterals,*
7 *ditches, and drains—*

8 (1) *to ensure the conservation and efficient use*
9 *of water within that District by—*

10 (A) *reducing actual consumptive use; or*

11 (B) *not increasing the use of water; and*

12 (2) *to improve the measurement and allocation*
13 *of water, including water acquired through the water*
14 *acquisition program established under section 302.*

15 (b) *RIO GRANDE, SAN ACACIA, AND ISLETA*
16 *REACHES.*—

17 (1) *IN GENERAL.*—*The Secretary shall provide*
18 *for the development of a comprehensive plan for the*
19 *San Acacia and Isleta reaches to plan, design, per-*
20 *mit, construct, and prioritize projects that balance*
21 *river maintenance, water availability, use, and deliv-*
22 *ery, and ecosystem benefits, including—*

23 (A) *planning, permitting, and construction*
24 *of a pumping station at Bosque del Apache Na-*
25 *tional Wildlife Refuge for the purpose of more ef-*
26 *ficiently using water to provide—*

1 (i) a stable supply for the Refuge; and

2 (ii) an efficient and reliable supply of

3 water to the Rio Grande for the benefit of

4 the endangered silvery minnow and South-

5 western willow flycatcher;

6 (B) planning, permitting, and construction

7 of a river channel realignment project near the

8 Rio Grande mile-83 for the purpose of conveying

9 water and sediment through the reach to Ele-

10 phant Butte Reservoir and addressing river

11 channel aggradation while maintaining flood-

12 plain connectivity during the snowmelt runoff;

13 (C) planning, permitting, and construction

14 of a controlled outlet for the low flow conveyance

15 channel to the Rio Grande between Fort Craig,

16 New Mexico, and Rio Grande mile-60 for the

17 purpose of water use and delivery, enhancement

18 and development of habitat areas, and possible

19 creation of a single-channel river ecosystem; and

20 (D) development of a Lower Reach plan—

21 (i) to identify additional projects and

22 maintenance activities with water use, sedi-

23 ment management, and delivery and eco-

24 system benefits; and

1 (ii) to prioritize implementation of all
2 projects and activities.

3 (2) *PUBLIC PARTICIPATION.*—In carrying out
4 this subsection, the Secretary shall provide a process
5 for public participation and comment during plan
6 development and alternative analysis.

7 **SEC. 304. SUSTAINING BIODIVERSITY DURING DROUGHTS.**

8 Section 9503(b) of the Omnibus Public Land Manage-
9 ment Act of 2009 (42 U.S.C. 10363(b)) is amended—

10 (1) in paragraph (3)(D), by inserting “and na-
11 tive biodiversity” after “wildlife habitat”; and

12 (2) in paragraph (4)(B), by inserting “and
13 drought biodiversity plans to address sustaining na-
14 tive biodiversity during periods of drought” after
15 “restoration plans”.

16 **SEC. 305. REAUTHORIZATION OF COOPERATIVE WATER-**
17 **SHED MANAGEMENT PROGRAM.**

18 Section 6002(g)(4) of the Omnibus Public Land Man-
19 agement Act of 2009 (16 U.S.C. 1015a(g)(4)) is amended
20 by striking “2020” and inserting “2031”.

21 **TITLE IV—EFFECT ON EXISTING**
22 **LAW**

23 **SEC. 401. EFFECT ON EXISTING LAW.**

24 (a) *IN GENERAL.*—An action taken by the Secretary
25 or another entity under this Act or an amendment made

1 *by this Act shall comply with applicable State laws in effect*
2 *on the date of enactment of this Act.*

3 **(b) STATE LAW.**—*Nothing in this Act or an amend-*
4 *ment made by this Act affects, is intended to affect, or inter-*
5 *feres with a law of the State relating to the control, appro-*
6 *priation, use, or distribution of water, or any vested right*
7 *acquired under the law.*

8 **(c) RIO GRANDE COMPACT.**—*Nothing in this Act or*
9 *an amendment made by this Act affects or is intended to*
10 *affect or interfere with any obligation of a State under the*
11 *Rio Grande Compact or any litigation relating to the Rio*
12 *Grande Compact.*

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